

OIP  
 FEB 09 2003  
 PATENT

**TRANSMITTAL LETTER TO THE UNITED STATES  
 DESIGNATED/ELECTED OFFICE (DO/EO/US)  
 CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER  
**3190-069**  
 U.S. APPLICATION NO. (If known, see 37 CFR 1.5)  
**10/519,465**  
 INTERNATIONAL APPLICATION NO.  
**PCT/JP03/008179**  
 INTERNATIONAL FILING DATE  
**June 27, 2003**  
 PRIORITY DATE CLAIMED  
**June 28, 2002**

TITLE OF INVENTION: MKK7 ACTIVATION INHIBITOR

APPLICANT(S) FOR DO/EO/US: Hirofumi DOI, Shinya HOSOGI, and Naoya WADA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3))
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or address change letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 – 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/519,465		INTERNATIONAL APPLICATION NO. PCT/JP03/008179		ATTORNEY'S DOCKET NUMBER 3190-069	
---	--	--	--	--------------------------------------	--

21. <input type="checkbox"/> The following fees are submitted:					
<input type="checkbox"/> a) Basic national fee .....	\$300.00			\$ 0.00	
<input type="checkbox"/> b) Examination fee .....	\$200.00			\$ 0.00	
<input type="checkbox"/> c) Search fee .....	\$500.00			\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =			\$ 1,000.00	\$ 0.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)			
51 - 100 =	0/50 =	0		x \$250.00	\$ 0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than Months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	19 - 20 =	0	x \$50.00	\$ 0.00	
Independent claims	10 - 3 =	7	x \$200.00	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 0.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0.00	
SUBTOTAL =				\$ 0.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0.00	
TOTAL NATIONAL FEE =				\$ 0.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$ 0.00	
				Amount to be Refunded	\$
				Amount to be Charged	\$

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0925.

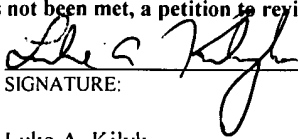
d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

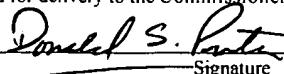
SEND ALL CORRESPONDENCE TO

KILYK & BOWERSOX, P.L.L.C.  
 53 A East Lee Street  
 Warrenton, VA 20186  
 Phone (540) 428-1701 - Facsimile (540) 428-1720

  
 SIGNATURE:  
 Luke A. Kilyk  
 NAME  
 33,251  
 REGISTRATION NUMBER

Date: February 8, 2005 I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "First Class Mail" service.

Donald S. Prater  
 Name (Print)

  
 Signature

## Japanese Language Declaration

## 日本語宣言書

私は、ここに、以下に記載した外国での特許出願または発明者証出願、或いは米国以外の少なくとも一國を指定している米国法典第35編第365条(a)によるPCT国際出願について、同第119条(a)(b)項又は第365条(b)項に基づいて優先権の利益を主張するとともに、優先権を主張する本出願の出願日より前の出願日を有する外国で特許出願または発明者証出願、或いはPCT国際出願については、いかなる出願も、下記の枠内をチェックすることにより示した。

## Prior Foreign Application(s)

外国での先行出願

Priority Claimed

YES NO

優先権主張

あり なし

JP2002-190909  
(Number)  
(番号)

Japan  
(Country)  
(国名)

28/06/2002  
(Day/Month/Year Filed)  
(出願日/月/年)

☒ ☐

JP2002-190910  
(Number)  
(番号)

Japan  
(Country)  
(国名)

28/06/2002  
(Day/Month/Year Filed)  
(出願日/月/年)

☒ ☐

他の優先権出願については添付のリスト参照

See attached list for additional prior foreign applications.

私は、ここに、下記のいかなる米国仮特許出願についても、その米国法典第35編119条(e)項の利益を主張する。

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

私は、ここに、下記のいかなる米国出願についても、その米国法典第35編第120条に基づく利益を主張し、又米国を指定するいかなるPCT国際出願についても、その同第365条(c)に基づく利益を主張する。また、本出願の各特許請求の範囲の主題が、米国法典第35編第112条第1段に規定された態様で、先行する米国出願又はPCT国際出願に開示されていない場合においては、その先行出願の出願日と本国内出願日またはPCT国際出願日との間の期間中に入手された情報で、連邦規則法典第37編規則1.56に定義された特許性に関する重要な情報について開示義務があることを承認する。

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Status: Patented, Pending, Abandoned)  
(現況: 特許許可、係属中、放棄)

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Status: Patented, Pending, Abandoned)  
(現況: 特許許可、係属中、放棄)

私は、ここに表明された私自身の知識に係わる陳述が真実であり、且つ情報と信ずることに基づく陳述が、真実であると信じられることを宣言し、さらに、故意に虚偽の陳述などを行った場合は、米国法典第18編第1001条に基づき、罰金または拘禁、若しくはその両方により処罰され、またそのような故意による虚偽の陳述は、本出願またはそれに対して発行されるいかなる特許も、その有効性に問題が生ずることを理解した上で陳述が行われたことを、ここに宣言する。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Docket No. 3190-069

Kilyk & Bowersox, P.L.L.C.

# Declaration and Power of Attorney for Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

私は、以下に記名された発明者として、ここに下記の通り宣言する：

As a below named inventor, I hereby declare that:

私の住所、郵便の宛先そして国籍は、私の氏名の後に記載された通りである。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明について、特許請求範囲に記載され、且つ特許が求められている発明主題に関して、私は、最初で、最先且つ唯一の発明者である（唯一の氏名が記載されている場合）か、或いは最初、最先且つ共同発明者である（複数の氏名が記載されている場合）と信じている。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

MKK7 ACTIVATION INHIBITOR

上記発明の明細書はここに添付されているが、下記の欄がチェックされている場合は、この限りでない：

the specification of which is attached hereto unless the following box is checked:

☐ \_\_\_\_\_ の日に出願され、  
この出願の米国出願番号または PCT 国際出願番号は、  
\_\_\_\_\_ であり、且つ  
\_\_\_\_\_ の日に補正された出願（該当する場合）

☒ was filed on June 27, 2003  
as United States Application Number or  
PCT International Application Number  
PCT/JP03/008179 and was amended on  
\_\_\_\_\_ (if applicable).

(now assigned U.S. Patent  
Application No. 10/519,465)

私は、上記の補正書によって補正された、特許請求範囲を含む上記明細書を検討し、且つ内容を理解していることをここに表明する。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第 37 編規則 1.56 に定義されている、特許性について重要な情報を開示する義務があることを承認する。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

**Declaration and Power of Attorney for Patent Application**

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

委任状： 私は本出願を審査する手続を行い、且つ米国特許商標庁との全ての業務を遂行するために、記名された発明者として、下記の弁護士及び/または弁理士を任命する。

POWER OF ATTORNEY; As a named inventor, I hereby appoint The following attorney(s) and/or agent(s) to prosecute this Application and transact all business in the Patent and Trademark Office connected therewith.

**33432**

米国特許商標庁

**33432**

PATENT TRADEMARK OFFICE

全ての通信は下記の住所へ送付されたい。

Please direct all communications to the following address:

Kilyk & Bowersox P.L.L.C.  
53 リーの東の通り  
Warrenton の VA 20186

KILYK & BOWERSOX, PLLC  
53 A East Lee Street  
Warrenton, VA 20186  
(Tel) 540-428-1701

唯一または第一発明者氏名

発明者の署名

日付

Full name of sole or first inventor

Hirofumi DOI

Signature

Date

住所

国籍

郵便の宛先

Residence

c/o Celestar Lexice-Sciences, Inc., Makuhari Techno Garden D17,  
3, Nakase 1-chome, Mihama-ku Chiba-shi, Chiba 261-8501 Japan

Citizenship

Japanese

Post Office Address

Same as above

第二共同発明者がいる場合、その氏名

発明者の署名

日付

Full name of second joint inventor, if any

Shinya HOSOGI

Signature

Date

住所

国籍

郵便の宛先

Residence

c/o Celestar Lexice-Sciences, Inc., Makuhari Techno Garden D17,  
3, Nakase 1-chome, Mihama-ku Chiba-shi, Chiba 261-8501 Japan

Citizenship

Japanese

Post Office Address

Same as above

第三共同発明者がいる場合、その氏名

発明者の署名

日付

Full name of third joint inventor, if any

Naoya WADA

Signature

Date

住所

国籍

郵便の宛先

Residence

c/o Daiichi Pharmaceutical Co., Ltd., Tokyo R&D Center, 16-13,  
Kita-kasai 1-chome, Edogawa-ku, Tokyo 134-8630 Japan

Citizenship

Japanese

Post Office Address

Same as above